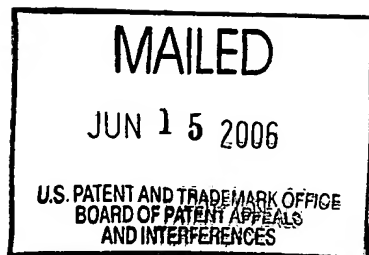


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte EDGAR N. RUDISILL et al.

Application 10/762,721

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on June 14, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing are identified below:

An examination of the Image File Wrapper (IFW) reveals that an Appeal Brief was filed on August 22, 2005. In response, an Examiner's Answer was mailed on November 14, 2005.

On June 13, 2006, Pamela Bennett, Paralegal Specialist, left a message for attorney Thomas Steinberg, Reg. No. 37,013, regarding the submission of a "Related Proceedings Appendix," as required by the new rules under 37 CFR §41.37(c). In a telephone conversation on June 14, 2006 between attorney Thomas Steinberg and Dale Shaw, Deputy Chief Appeal Administrator, the submission of supplying the missing

"Related Proceedings Appendix" was discussed. Mr. Steinberg requested that an Order Returning an Undocketed Appeal be sent, since papers would be submitted as part of the missing appendix.

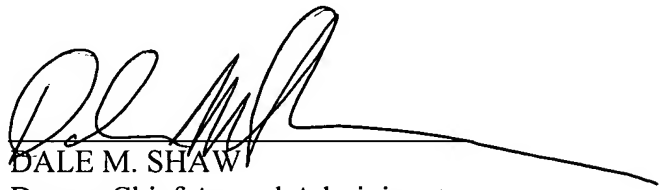
Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for consideration of the new Appeal Brief; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:


DALE M. SHAW
Deputy Chief Appeal Administrator
(571) 272-9797

DMS:psb

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